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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/938,512	08/27/2001	Monica Maria Wilhelmina Mathea Roosen	0142-0374P	1913
2292	7590	09/27/2005	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				THOMPSON, JAMES A
ART UNIT		PAPER NUMBER		
				2624

DATE MAILED: 09/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/938,512	ROOSEN ET AL.
	Examiner	Art Unit
	James A. Thompson	2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 14 July 2005.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) \_\_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1,3-7 and 10-20 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 16 November 2001 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. 09/272,556.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 8/27/01.

- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

**DETAILED ACTION**

***Response to Arguments***

1. Applicant's arguments, see page 12, lines 7-19, filed 14 July 2005, with respect to the information disclosure statement have been fully considered and are persuasive. Examiner appreciates the provided references. The objection to the information disclosure statement listed in item 2 of the previous office action, dated 24 March 2005, has been withdrawn.
2. Applicant's arguments, see page 13, lines 1-12, filed 14 July 2005, with respect to the rejections of claims 10 and 20 under 35 USC §112, 2<sup>nd</sup> paragraph, have been fully considered and are persuasive. The rejections of claims 10 and 20 under 35 USC §112, 2<sup>nd</sup> paragraph listed in items 3-4 of said previous office action have been withdrawn.
3. Applicant's arguments filed 14 July 2005 have been fully considered but they are not persuasive.

***Regarding page 14, line 1 to page 19, line 14:*** Firstly, Examiner appreciates Applicant's detailed explanation of what Applicant believes to be the differences between the present specification and Lobiondo (US Patent 5,287,194). The present amendments to the claims have been fully considered in light of both the specification itself and Applicant's discussion in the present arguments. However, Applicant is respectfully reminded that, although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

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**Regarding page 19, line 15 to page 20, line 2:** The maintaining mechanism taught by Lobiondo (column 3, lines 45-50 of Lobiondo), which is cited in said previous office action, is also described in Lobiondo as being located "at various local workstations 30 within the network for analyzing the information relating to the job" (column 3, lines 41-45 of Lobiondo). Further, each "workstation" is both a terminal with a CPU and a printer, operating together as a single device, such as shown in figure 2 of Lobiondo (column 3, lines 7-9 and lines 29-32 of Lobiondo).

**Regarding page 20, line 3 to page 21, line 8:** Ohkubo (US Patent 5,123,063) has not been relied upon to fully teach scanners doing the assessment of required scan process settings themselves. As clearly set forth on page 11, line 14 to page 12, line 6 (regarding claim 10) and page 13, line 18 to page 14, line 10 (regarding claim 18) of said previous office action, Ohkubo teaches a plurality of networked scanners. The teachings of Lobiondo are applied to the network of scanners taught by Ohkubo. The maintaining mechanism recited in claim 11 is taught by Lobiondo, as discussed above.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -  
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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5. Claims 1, 3-7, 11-15 and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Lobiondo (US Patent 5,287,194).

**Regarding claim 1:** Lobiondo discloses storing, in each digital image processing device (column 4, lines 3-8 of Lobiondo), information on capabilities and status of connected digital image processing devices (column 3, lines 45-50 of Lobiondo); and locally initiating a digital image processing job (column 3, lines 29-32 and column 4, lines 30-31 of Lobiondo) through a local operating unit (figure 2(40) and column 3, lines 29-32 of Lobiondo) of a first image processing device (figure 2 (30) and column 3, lines 32-36 of Lobiondo), said job having job settings (column 3, lines 51-56 of Lobiondo).

Lobiondo further discloses that said first image processing device (figure 2 and column 3, lines 41-50 of Lobiondo) performs the steps of automatically analyzing said digital image processing job (column 4, lines 30-34 of Lobiondo) as to device capabilities necessary for processing said job (column 3, lines 64-65 of Lobiondo) in accordance with the job settings of the job (column 3, lines 65-68 and column 4, lines 8-13 of Lobiondo); automatically checking if the first device can process the job in accordance with the job settings of the job (column 4, lines 46-50 of Lobiondo); if the first image processing device cannot process the job in accordance with the job settings, automatically advising, through a display of the local operating unit (figure 2(40) and column 29-36 of Lobiondo), of at least one other device that can process the job in accordance with the job settings of the job (column 4, lines 30-34 of Lobiondo); and if the first image processing device can process the job in accordance with the job settings (column 5,

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lines 34-38 of Lobiondo), starts processing the job (column 5, lines 40-44 of Lobiondo). The printshop scheduler is located at the local workstation, in accordance with one embodiment of the system of Lobiondo (column 3, lines 41-50 of Lobiondo). By automatically notifying the user of how the print job will be distributed (column 4, lines 32-34 of Lobiondo), the system would therefore be automatically notifying the user of at least one other device that can process the job in accordance with the job settings in the case that the first device cannot print the job according to all of the user's specific settings. Further, by allocating print tasks according to location (column 5, lines 34-38 of Lobiondo), the print job can thus be performed for the local printing device if said local printing device has the appropriate capabilities.

**Regarding claim 3:** Lobiondo discloses that the advice is given if another device having said capabilities needed for processing said job is available (column 6, lines 8-16 of Lobiondo).

**Regarding claim 4:** Lobiondo discloses that, if more than one other device can process the job, the advice indicates one other device on the basis of the walking distance from the first device (column 5, lines 34-44 of Lobiondo).

**Regarding claim 5:** Lobiondo discloses that, if more than one other device can process the job, the advice indicates one other device on the basis of degree of occupation (column 5, lines 18-33 of Lobiondo).

**Regarding claim 6:** Lobiondo discloses that the advising (column 4, lines 32-34 of Lobiondo) has the form of a message on the display of the first device (column 6, lines 16-21 of Lobiondo).

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**Regarding claim 7:** Lobiondo discloses receiving a print file from a remote location and storing the print file, while not automatically printing the print file (column 5, lines 45-51 of Lobiondo). In order for said print file to be selected and sent to a plurality of different printers (column 5, lines 45-51 of Lobiondo), said print file must be stored at the first printer, in use by the user, in some form after being received at said first printer.

Lobiondo further discloses actively sharing at least the metadata of each received print file among said plurality of printers connected to the system (column 4, lines 46-50 of Lobiondo), each of said plurality of printers making each print file available for selection and printing (column 5, lines 51-54 of Lobiondo), through respective local operating units of said plurality of printers (column 5, lines 55-62 of Lobiondo). The subset of printers among which the metadata of each print file is shared is the subset of printers corresponding to which printers have the capability of printing the specified print job (column 4, lines 46-50 of Lobiondo).

Lobiondo further discloses storing, in each printer (column 4, lines 3-8 of Lobiondo), information on capabilities and status of connected printers (column 3, lines 45-50 of Lobiondo), wherein each of said plurality of printers (column 3, lines 27-29 and lines 41-44 of Lobiondo) performs the steps of automatically analyzing each print file metadata (column 4, lines 30-34 of Lobiondo) as to printer capabilities necessary for printing the print file (column 3, lines 64-65 of Lobiondo); automatically checking if that printer can print the print file in accordance with the settings included in the metadata (column 4, lines 46-50 of Lobiondo); and upon receiving from the local

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operating unit a selection and an associated print start command for a print file: if the printer cannot print the print file in accordance with the settings, automatically advising, through a display of the local operating unit (figure 2(40) and column 29-36 of Lobiondo), of at least one other printer that can print said print file in accordance with the settings (column 4, lines 30-34 of Lobiondo); and if the printer can print the print file in accordance with the settings (column 5, lines 34-38 of Lobiondo), starts printing the file (column 5, lines 40-44 of Lobiondo). The printshop scheduler is located at the local workstation, in accordance with one embodiment of the system of Lobiondo (column 3, lines 41-50 of Lobiondo). By automatically notifying the user of how the print job will be distributed (column 4, lines 32-34 of Lobiondo), the system would therefore be automatically notifying the user of at least one other printer that can print the print file in accordance with the settings in the case that the first printer cannot print the job according to all of the user's specific settings. Further, by allocating print tasks according to location (column 5, lines 34-38 of Lobiondo), the print file can thus be printed on the local printer if said local printer has the appropriate capabilities.

**Regarding claim 11:** Lobiondo discloses a printer (figure 2 of Lobiondo) comprising a network connection unit (figure 1(20) of Lobiondo) for communicating with the system and for receiving print files having pre-programmed settings (column 3, lines 20-23 of Lobiondo); a print unit (figure 2(55) and column 5, line 69 to column 6, line 2 of Lobiondo); an operating unit (figure 2 (40) of Lobiondo) provided with operating means (figure 2(65) of Lobiondo) and a display (figure 2(75) and column 6, lines 2-4 of

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Lobiondo); and a control unit (figure 3(50) and column 3, lines 41-50 of Lobiondo) including a maintaining mechanism (figure 3 (50(portion)) of Lobiondo) for maintaining information on capabilities and status of connected printers (column 3, lines 45-50 of Lobiondo); an analysis mechanism (figure 3(50(portion)) of Lobiondo) for analyzing a received print file (column 4, lines 30-34 of Lobiondo) as to printer capabilities necessary for printing the print file (column 3, lines 64-65 of Lobiondo) in accordance with the pre-programmed settings of the print file (column 3, lines 65-68 and column 4, lines 8-13 of Lobiondo); a checking mechanism (figure 3(50(portion)) of Lobiondo) for checking if the printer can print the print file in accordance with said pre-programmed settings (column 4, lines 46-50 of Lobiondo); and an advising mechanism (figure 3(50(portion)) of Lobiondo) for advising, in the case that the printer cannot print the file, of at least one other printer that has the capabilities needed for printing said print file in accordance with said pre-programmed settings (column 4, lines 32-34 of Lobiondo). By automatically notifying the user of how the print job will be distributed (column 4, lines 32-34 of Lobiondo), the system would therefore be automatically notifying the user of at least one other print that can print the print file in accordance with the pre-programmed settings in the case that the first printer cannot print the print file according to all of the specific pre-programmed settings. The control unit (figure 3(50) of Lobiondo) is embodied in hardware or software (column 3, lines 41-42 of Lobiondo). The maintaining mechanism, analyzing mechanism, checking mechanism, and advising mechanism are the respective portions of the hardware and/or embodied software, along with the associated digital memory, that perform

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the functions of the maintaining mechanism, analyzing mechanism, checking mechanism, and advising mechanism.

**Regarding claim 12:** Lobiondo discloses that said control unit decides if a printer can print a specific print file on the basis of whether that printer has the capabilities necessary for printing the print file (column 4, lines 46-50 of Lobiondo).

**Regarding claim 13:** Lobiondo discloses that said control unit gives advice if another printer having said capabilities needed for printing said print file is available (column 6, lines 8-16 of Lobiondo).

**Regarding claim 14:** Lobiondo discloses that the information on capabilities and status of connected printers (column 3, lines 64-68 of Lobiondo), maintained in each printer (column 4, lines 7-8 of Lobiondo), includes the physical location of said printers (column 5, lines 37-40 of Lobiondo); and that, if more than one other printer can print the print file, the control unit advises one other printer on the basis of the walking distance from the first printer (column 5, lines 34-44 of Lobiondo). In order to select a printer that is either located near the predetermined location or a printer that is located remotely (column 5, lines 37-40 of Lobiondo), it is inherent that the physical location of said printers be a part of the status of the connected printers. Otherwise, there is no means by which the printers' locations can be determined in the user interface.

**Regarding claim 15:** Lobiondo discloses that, if more than one other printer can print the print file, the control unit advises one other printer on the basis of degree of occupation (column 5, lines 18-33 of Lobiondo).

**Regarding claim 17:** Lobiondo discloses a metadata exchange module (figure 2(30(portion)) of Lobiondo) for exchanging metadata of print files directly or indirectly with another printer (column 3, lines 27-29 and lines 37-45 of Lobiondo), wherein said control unit is operable to receive metadata from said metadata exchange module (column 4, lines 46-50 of Lobiondo). In order to analyze the printers based on the metadata (column 4, lines 46-50 of Lobiondo), the metadata must be received by said control unit. A workstation (figure 2(30) of Lobiondo) is a PC computer system (column 3, lines 29-30 of Lobiondo), and therefore comprises a processor and computer memory. The metadata exchange module is the portion of the processor and computer memory that performs the functions of said metadata exchange module.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 10 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lobiondo (US Patent 5,287,194) in view of Ohkubo (US Patent 5,123,063).

**Regarding claim 10:** Lobiondo discloses storing, in each digital image processing device (column 4, lines 3-8 of Lobiondo), information on capabilities and status of connected

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digital image processing devices (column 3, lines 45-50 of Lobiondo); and locally initiating a digital image processing job (column 3, lines 29-32 and column 4, lines 30-31 of Lobiondo) through a local operating unit (figure 2(40) and column 3, lines 29-32 of Lobiondo) of a first image processing device (figure 2 (30) and column 3, lines 32-36 of Lobiondo), said job having job settings (column 3, lines 51-56 of Lobiondo).

Lobiondo further discloses that said first image processing device (figure 2 and column 3, lines 41-50 of Lobiondo) performs the steps of automatically analyzing said digital image processing job (column 4, lines 30-34 of Lobiondo) as to device capabilities necessary for processing said job (column 3, lines 64-65 of Lobiondo) in accordance with the job settings of the job (column 3, lines 65-68 and column 4, lines 8-13 of Lobiondo); automatically checking if the first device can process the job in accordance with the job settings of the job (column 4, lines 46-50 of Lobiondo); if the first image processing device cannot process the job in accordance with the job settings, automatically advising, through a display of the local operating unit (figure 2(40) and column 29-36 of Lobiondo), of at least one other device that can process the job in accordance with the job settings of the job (column 4, lines 30-34 of Lobiondo); and if the first image processing device can process the job in accordance with the job settings (column 5, lines 34-38 of Lobiondo), starts processing the job (column 5, lines 40-44 of Lobiondo). The printshop scheduler is located at the local workstation, in accordance with one embodiment of the system of Lobiondo (column 3, lines 41-50 of Lobiondo). By automatically notifying the user of how the print job will be distributed (column 4, lines 32-34 of Lobiondo), the system

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would therefore be automatically notifying the user of at least one other device that can process the job in accordance with the job settings in the case that the first device cannot print the job according to all of the user's specific settings. Further, by allocating print tasks according to location (column 5, lines 34-38 of Lobiondo), the print job can thus be performed for the local printing device if said local printing device has the appropriate capabilities.

Lobiondo does not disclose expressly that the method discussed above is applied to processing digital scan jobs in a network system including a plurality of scanners.

Ohkubo discloses a plurality of scanners connected to a network (figure 4 and column 3, lines 26-30 of Ohkubo) in which the identification numbers and properties of each of said scanners are stored in memory (figure 2 and column 3, lines 31-39 of Ohkubo). Further, a computer processor is used to control scanning jobs and select the appropriate scanner, based on scanner capabilities, for each particular scanning job (column 4, lines 21-26 and lines 29-34 of Ohkubo).

Lobiondo and Ohkubo are combinable because they are from the same field of endeavor, namely control of digital image processing devices. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to apply the method taught by Lobiondo instead to a plurality of scanners in a network along with their associated scanning jobs. The suggestion for doing so would have been both the printers taught by Lobiondo and the scanners taught by Ohkubo are both digital image data processing devices which can be controlled by a computer and have their processing jobs scheduled. Therefore,

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it would have been obvious to combine Ohkubo with Lobiondo to obtain the invention as specified in claim 10.

**Regarding claim 18:** Lobiondo discloses a printer (figure 2 of Lobiondo) comprising a network connection unit (figure 1(20) of Lobiondo) for communicating with the network system (column 3, lines 20-23 of Lobiondo); a scan unit (figure 2(35) and column 5, line 69 to column 6, line 1 of Lobiondo); an operating unit (figure 2(40) of Lobiondo) provided with operating means (figure 2(65) of Lobiondo) and a display for entering a print job command with print job settings (figure 2(75); column 3, lines 33-36 and column 6, lines 2-4 of Lobiondo); and a control unit (figure 3(50) and column 3, lines 41-50 of Lobiondo) including a maintaining mechanism (figure 3(50(portion)) of Lobiondo) for maintaining information on capabilities and status of connected printers (column 3, lines 45-50 of Lobiondo); an analysis mechanism (figure 3(50(portion)) of Lobiondo) for analyzing an entered print job command (column 4, lines 30-34 of Lobiondo) as to printer capabilities necessary for processing the print job (column 3, lines 64-65 of Lobiondo) in accordance with the print job settings of the print job (column 3, lines 65-68 and column 4, lines 8-13 of Lobiondo); a checking mechanism (figure 3(50(portion)) of Lobiondo) for checking if the printer can process the print job in accordance with said print job settings (column 4, lines 46-50 of Lobiondo); and an advising mechanism (figure 3(50(portion)) of Lobiondo) for advising, in the case that the printer cannot process the print job, of at least one other printer that has the capabilities needed for processing said print job in accordance with said print job settings (column 4, lines 32-34 of Lobiondo). By automatically notifying the user of how the print job will be

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distributed (column 4, lines 32-34 of Lobiondo), the system would therefore be automatically notifying the user of at least one other print that can print the print file in accordance with the pre-programmed settings in the case that the first printer cannot print the print file according to all of the specific pre-programmed settings. The control unit (figure 3(50) of Lobiondo) is embodied in hardware or software (column 3, lines 41-42 of Lobiondo). The maintaining mechanism, analyzing mechanism, checking mechanism, and advising mechanism are the respective portions of the hardware and/or embodied software, along with the associated digital memory, that perform the functions of the maintaining mechanism, analyzing mechanism, checking mechanism, and advising mechanism.

Lobiondo does not disclose expressly that the method discussed above is applied to processing digital scan jobs in a network system including a plurality of scanners.

Ohkubo discloses a plurality of scanners connected to a network (figure 4 and column 3, lines 26-30 of Ohkubo) in which the identification numbers and properties of each of said scanners are stored in memory (figure 2 and column 3, lines 31-39 of Ohkubo). Further, a computer processor is used to control scanning jobs and select the appropriate scanner, based on scanner capabilities, for each particular scanning job (column 4, lines 21-26 and lines 29-34 of Ohkubo).

Lobiondo and Ohkubo are combinable because they are from the same field of endeavor, namely control of digital image processing devices. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to apply the method taught by Lobiondo instead to a plurality of scanners in a network along with their associated scanning jobs. The

suggestion for doing so would have been both the printers taught by Lobiondo and the scanners taught by Ohkubo are both digital image data processing devices which can be controlled by a computer and have their processing jobs scheduled. Therefore, it would have been obvious to combine Ohkubo with Lobiondo to obtain the invention as specified in claim 18.

**Further regarding claim 19:** Lobiondo discloses that said control unit decides if a printer can process a specific print job on the basis of whether that printer has the capabilities necessary for processing the print job (column 4, lines 46-50 of Lobiondo). As discussed above in the arguments regarding claim 18, the method taught by Lobiondo is applied to scanners and scan jobs instead of printers and print jobs. Therefore, Lobiondo in view of Ohkubo teaches that said control unit decides if a scanner can process a specific scan job on the basis of whether that scanner has the capabilities necessary for processing the scan job.

**Further regarding claim 20:** Lobiondo discloses that said control unit gives advice if another printer having said capabilities needed for processing the print job is available (column 6, lines 8-16 of Lobiondo). As discussed above in the arguments regarding claim 18, the method taught by Lobiondo is applied to scanners and scan jobs instead of printers and print jobs. Therefore, Lobiondo in view of Ohkubo teaches that said control unit gives advice if another scanner having said capabilities needed for processing said scan job is available.

8. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lobiondo (US Patent 5,287,194) in view of MacKay (US Patent 5,718,520).

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**Regarding claim 16:** Lobiondo discloses that a digital print file includes metadata specifying job information (column 3, lines 59-63 of Lobiondo) and print image data (column 4, lines 35-39 and lines 43-46 of Lobiondo), the printer further comprising an extracting module (figure 2(30)(portion)) of Lobiondo) for extracting at least part of the metadata of a received print file and storing the same in a local memory dedicated to the control unit (column 4, lines 46-50 of Lobiondo). In order to determine if a printer is capable of processing the print job based on the details of the print job requirements (column 4, lines 46-50 of Lobiondo), at least the corresponding part of the metadata must inherently be extracted. Further, in order for the control unit (figure 3(50) of Lobiondo) to analyze the printer, the corresponding metadata must be stored in some form of local memory, such as RAM or the like, dedicated to the control unit. Otherwise, it is not possible for the data to be accessed by the control unit in order to compare the metadata with the printer characteristics.

Lobiondo further discloses a storing module (figure 2(30) (portion)) of Lobiondo) for storing the print image data of said received print file in a logical storage space allocated to said user (column 3, lines 32-39 of Lobiondo). Print image data is input into the workstation and stored (column 3, lines 32-39 of Lobiondo). Memory for the data must inherently be allocated for the print image data in order for said print image data to reside in said memory. Since the print image data is related to the user (column 3, lines 56-58 of Lobiondo), then said logical storage space is allocated to said user. A workstation (figure 2(30) of Lobiondo) is a PC computer system (column 3, lines 29-30 of Lobiondo), and therefore comprises a processor and

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computer memory. The extracting module and storing module are the respective portions of the processor and computer memory that performs the functions of said extracting module and said storing module.

Lobiondo further discloses that said control unit further includes a print file releasing mechanism (figure 3(50(portion)) of Lobiondo) for releasing a print file for printing by the print unit only after selection of that print file and an associated print command entered via the operating means (column 3, lines 56-63 of Lobiondo). The control unit (figure 3(50) of Lobiondo) is embodied in hardware or software (column 3, lines 41-42 of Lobiondo). The print file releasing mechanism is the portion of the hardware and/or embodied software, along with the associated digital memory, that performs the functions of the print file releasing mechanism.

Lobiondo further discloses that the control unit operates said advising mechanism upon selection of a print file (column 4, lines 30-34 of Lobiondo), if the printer cannot print the print file in accordance with its pre-programmed settings (column 4, lines 46-50 of Lobiondo).

Lobiondo does not disclose expressly that said control unit further includes a print file selection mechanism for presenting print files, based on the metadata extracted by the extracting module, that can be selected via the operating menus.

MacKay discloses a print file selection mechanism (figure 8 of MacKay) for presenting print files (figure 7("Job File") of MacKay), based on the metadata extracted by the extracting module (column 6, lines 45-54 of MacKay), that can be selected via the operating menus (figure 8(156) and column 6, lines 34-40 of MacKay).

Lobiondo and MacKay are combinable because they are from the same field of endeavor, namely printer and print job control. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include the print file selection mechanism taught by MacKay in the system taught by Lobiondo. The motivation for doing so would have been to be able to easily view the print files and to further be able to make changes to a print job with less required effort on the part of the user (column 2, lines 54-59 of MacKay). Therefore, it would have been obvious to combine MacKay with Lobiondo to obtain the invention as specified in claim 16.

***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ebner et al., US Patent 5,452,094, 19 September 1995.

Kris R. Livingston, US Patent 6,621,590 B1, 16 September 2003.

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will

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expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Thompson whose telephone number is 571-272-7441. The examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James A. Thompson  
Examiner  
Art Unit 2624

  
15 September 2005



THOMAS D.  
~~LEEE~~  
PRIMARY EXAMINER